

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KENNY BARCLAY,
Plaintiff,

v.

MP TECHNOLOGIES, LLC AND
KYLE ANDREW HICKS
Defendants.

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CIVIL ACTION NO. 4:18-cv-433

AGREED MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff, Kenny Barclay (“Plaintiff”) and Defendants MP Technologies, LLC and Kyle Andrew Hicks (“Defendants”)(hereinafter, collectively the “Parties”) file their Agreed Motion to Dismiss with Prejudice, pursuant to the Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and respectfully would show as follows:

1. The Parties have amicably resolved all issues involved in this lawsuit and have reached a settlement. Accordingly, Plaintiff no longer wishes to prosecute the claims and causes that were asserted and/or could have been asserted against Defendants in this present action.

2. For these reasons, the Parties respectfully request that this case be dismissed with prejudice to Plaintiff’s rights to the re-filing of same; that Plaintiff takes nothing by way of this suit; that all costs of Court be borne by the party incurring same; and that the Parties have such other and further relief at law and in equity to which they may show themselves justly entitled to receive.

Respectfully submitted by,

/s/ Branch M. Sheppard

Branch M. Sheppard

State Bar No. 2403057

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MP TECHNOLOGIES, LLC AND
KYLE ANDREW HICKS**

/s/ Adam D. Lewis - signed by permission

Adam D. Lewis

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**ATTORNEYS FOR PLAINTIFF,
KENNY BARCLAY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served by and through the Court approved electronic filing manager via email to participating parties and/or via hand delivery, facsimile, certified mail return receipt requested and/or U.S. First Class Mail to all known counsel of record on this 26th day of June 2019, as follows:

Via CM/ECF

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Kala F. Sellers
Adam D. Lewis,
ARNOLD & ITKIN LLP
Attorneys for Plaintiff

//s// Branch M. Sheppard

Branch M. Sheppard